

Call to Order:

The meeting was called to order at 7:35 p.m. Present were Chair, Joan Duff, and members Ms. Anderson, Mark Yanowitz, Vincent Chiozzi (arrived at 7:40 pm), John McDonnell (arrived at 7:55 pm) and Associate member Jay Doherty; also present was Paul Materazzo, Director of Planning, Lisa Schwarz, Senior Planner and Jacki Byerley, Planner.

Town Meeting 2011:

Article P-15: Amend Section 5.2.7.1.d by deleting the contents and replacing it with “Except for political signs in Section 5.2.7.2.c below”, temporary signs may be installed or in place for a period not to exceed thirty (30) days unless otherwise specified in this Bylaw”.

The Board opened the public hearing to amend the Zoning By-law Section 5.2.7.1.d by deleting the contents and replacing it with “Except for political signs in Section 5.2.7.2.c below”, temporary signs may be installed or in place for a period not to exceed thirty (30) days unless otherwise specified in this Bylaw”. Ms. Schwarz reviewed her memo to the Board dated February 16, 2011 which included a review of the current language in the Zoning By-law and the reasons why Town Counsel is proposing the change to the existing by-law. Following a discussion by the Board and on a motion by Ms. Anderson, seconded by Mr. Yanowitz, the Board voted to recommend approval of Article P-15 with the proposed language as written in Ms. Schwarz memo to the Board dated February 16, 2011. **Vote:** Unanimous (4-0)

Article P-16: Amend Appendix A, Table 3 Section 5.1.4. Table of Off Street Parking Requirements.

The Board opened the public hearing to amend the Zoning By-law Appendix A, Table 3 Section 5.1.4. Table of Off Street Parking Requirements. Ms. Schwarz reviewed her memo to the Board dated February 16, 2011, which included a chart of several Special Permits that were granted in the past for the reduction of parking. It also included calculations that would be required with the proposed changes to the Table of Off Street Parking. Mr. Doherty stated that he did not see a need to change the parking requirements, and asked why the Board would want to change the parking regulations if Applicants would still have to come before the Board. Ms. Byerley stated that changing the parking requirements (reducing the requirements) would allow an applicant to apply for a reduction of 6 spaces rather than 15 spaces, making it less daunting for the applicant. Ms. Anderson reviewed the chart and asked for clarification as to whether or not all the businesses described in Ms. Schwarz’s memo would have had to apply for a special permit for reduction of parking. Ms. Schwarz noted that in most cases yes, but the number of parking spaces calculated (according to the proposed new by-law) seems to be more reasonable. Attorney Mark Johnson stated that the new parking regulations would encourage new businesses, or existing businesses, that want to expand, to invest their money in the design and construction rather than worrying about how they will provide parking. Mr. Maldari, 29 Bartlet Street, gave an overview of the residents’ concerns with overflow parking on the residential side streets when Bertucci’s came to town. The result was that there did not seem to be a problem as was feared. The Board reviewed a letter from Gregory Luckman, 13 Florence Street, outlining his comments regarding the proposed warrant article. Following a detailed discussion of the letter, the Special Permit Parking chart, and the intent of the proposed amendment, and on a motion by Ms. Anderson seconded by Mr. Yanowitz, the Board voted to recommend approval of Article P-16 to amend the Zoning By-law Appendix A, Table 3 Section 5.1.4. Table of Off Street Parking Requirements. **Vote:** Unanimous (5-0)

Article P-22: Amend Section 7.9.6 Dimensional Special Permits/Historic Preservation.

The Board opened the public hearing to amend Section 7.9.6 Dimensional Special Permits/Historic Preservation. Karen Herman, Chairman of the Preservation Commission, gave an overview of the existing bylaw and the 6 historic buildings that have been preserved since the bylaw was passed in 2003. Ms. Herman reviewed the proposed amendment which would allow the Zoning Board of Appeals to decide which preservation restriction is appropriate and reviewed a letter of support for the proposed article from the State. Ms. Herman reviewed the application process when an applicant applies for Dimensional Special Permit/Historic Preservation. Ms. Anderson asked if the appeal process would change. Ms. Herman noted the appeal process would not change. Mr. Chiozzi asked why the special permit needs to be renewable. Ms. Herman noted they would want to same protection as the Massachusetts Historic Commission (MHC) receives. Ms. Schwarz noted that a local restriction is not offered the same in-perpetuity protection as the MHC, but a local restriction can be renewable every 30 years. On a motion by Ms. Anderson seconded by Mr. McDonnell the Board voted to recommend approval of Article P-22 to amend the Zoning By-law Section 7.9.6 Dimensional Special Permits/Historic Preservation. **Vote:** Unanimous (5-0)

Article P-19: Amend Article VIII, the Zoning By-law by adding a new Section 7.7 OPEN SPACE RESIDENTIAL DESIGN (OSRD).

Ms. Byerley reviewed her memo to the Board dated March 2, 2011. Ms. Byerley noted that she has received some valid feedback on the article from the Board and the Board needs to determine whether to move forward with the article as drafted or withdraw the article for further consideration. Following a detailed discussion of the proposed article by the Board, it was the consensus of the Board to continue the public hearing to the March 8th meeting for further input from other town boards.

Legends I:

Ms. Byerley reviewed her memo to the Board dated February 16, 2011 which included the changes to the Conservation Restriction. Attorney Mark Johnson, representing the applicant, stated that the Conservation Commission has approved the Conservation Restriction. On a motion by Ms Anderson seconded by Mr. McDonnell the Board voted to accept and approve the amended Conservation Restriction for Legends I as drafted, which is attached to Ms. Byerley's memo to the Board dated February 16, 2011. **Vote:** Unanimous (5-0)

Winterberry Lane:

On a motion by Ms. Anderson seconded by Mr. McDonnell the Board voted to forward a recommendation to the Board of Selectmen that Winterberry Lane be approved by the Board of Selectmen at the street layout meeting to be held on February 28, 2011 contingent upon a favorable review by Town Counsel. **Vote:** Unanimous (5-0)

Minutes:

On a motion by Ms. Anderson seconded by Mr. McDonnell the Board voted to approve the minutes for December 14, 2010 and January 11, 2011 as amended in the minutes Ms. Anderson, the Board's Secretary, gave to Paula Hamel staff's secretary at tonight's meeting. **Vote:** Unanimous (5-0)

Other Business:

Mr. Materazzo gave the Board an overview of a meeting he attended today regarding the Shawsheen River Restoration Project which would remove three dams along the Shawsheen River. Mr. Materazzo noted this would be the largest restoration project in the State and stated that he would like to setup a joint meeting with the Board and Conservation Commission which will be opened to the public to discuss the project in more detail.

Adjournment: The Board voted to adjourn the meeting at 9:00 p.m.